

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**FISHER SAND & GRAVEL, CO.
dba Southwest Asphalt Paving, and
FISHER SAND & GRAVEL -
NEW MEXICO, INC.**

Plaintiffs,

v.

No. 10-cv-0635 RB/SMV

**FNF CONSTRUCTION, INC.,
PULICE CONSTRUCTION, INC.,
GARY GIRÓN, MAX VALERIO,
JED BILLINGS, and STEPHEN BASILA,**

Defendants.

ORDER GRANTING MOTION TO AMEND

THIS MATTER comes before the Court on Plaintiffs' Unopposed Motion for Leave to Amend Complaint [Doc. 78]. The Court, being apprised that the Motion is unopposed and that Defendants Girón and Valerio take no position on Plaintiffs' motion, and being otherwise fully advised in the premises, FINDS that the Motion is well-taken and should be granted but without prejudice to Defendants' ability to file motions to dismiss.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Plaintiffs' Unopposed Motion for Leave to Amend Complaint [Doc. 78] is granted without prejudice to Defendants'

ability to file motions to dismiss, and Plaintiffs are granted leave to file their amended complaint no later than **May 24, 2012**.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'S. Vidmar', is positioned above a horizontal line.

STEPHAN M. VIDMAR
United States Magistrate Judge